

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

OLGA ORELLANA :
v. : C.A. No. 05-418A
JOANNE BARNHART, Commissioner, :
Social Security Administration :
:

MEMORANDUM AND ORDER

This matter is before the Court for judicial review of a final decision of the Commissioner of the Social Security Administration denying benefits to Plaintiff under the Social Security Act, 42 U.S.C. § 405(g). This action was commenced on October 7, 2005. With the consent of the parties, this case has been referred to me for all further proceedings and the entry of judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

On December 27, 2005, this Court issued a Scheduling Order (Document No. 6) which required Plaintiff to file a motion to modify, reverse, or remand the decision of the Commissioner by February 28, 2006. To date, Plaintiff has not filed her Motion and has not moved for an enlargement of time to file her Motion under Fed. R. Civ. P. 6(b). Thus, absent any communication from Plaintiff, this Court presumes that she has chosen not to pursue this appeal, and Plaintiff's Complaint is hereby DISMISSED for failure to comply with the Court's Scheduling Order.¹ Final Judgment shall enter in favor of Defendant thirty (30) days after the date of this ORDER.



LINCOLN D. ALMOND
United States Magistrate Judge
March 21, 2006

¹ This Court has read the ALJ's decision dated February 7, 2005 and the transcript of the November 29, 2004 hearing, and finds that the ALJ's decision appears on its face to be well-reasoned and supported by the record.